

DETAILED ACTION

1. This action is responsive to the amendment filed on March 3, 2008. Claims 1, 17 and 38 are amended. Claims 1, 2, 4-19, 22 and 38-40 are pending. Claims 1, 2, 4-19, 22 and 38-40 represent content operating system.

2. *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-19, 22 and 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tso et al. 6,421,733 in view of Kent U.S. 20020040374.

Tso teaches the invention substantially as claimed including system for dynamically transcoding data transmitted between computers (see abstract).

As to claims 1, 17 and 38, Tso teaches a system and method for providing content for distribution over channels to a plurality of different types of channels, said system and said method comprising:

a content object including the content to be provided over the plurality of different channels (column 3, lines 10-14; column 9, lines 34-39, Tso discloses a web site, which users from a particular region can access to (i.e. inherently “over the plurality of different channels”));

preparing content for communication across Internet and non-Internet channels for publication by Internet and non-Internet terminals (figure 3, Tso discloses a browser connected to the transcoding server through a link 14 (i.e. “non-Internet channel”), and through link 16 to the Internet).

at least one container object operable to receive said content object and template the prepared content to meet a certain publishing environment specified by a publisher of the content (column 7, line 60 to column 8, line 4);

a communication system for communicating the prepared and template and content objects over the Internet and non-Internet channels to the Internet to the non-Internet terminals connected thereto (figure 3); and

formatted into at least a second format for publication over different said

terminals (column 4, lines 43-44; column 6, lines 39-50; column 12, lines 46-47; Tso discloses formatting a content for distribution to users).

Tso fails to teach explicitly the content is prepared in the first way and the second way such that the original content remains the same or substantially the same.

However, Kent teaches method for personalizing and customizing publications and customized publications produced thereby. Kent teaches the content is prepared in the first way and the second way such that the original content remains the same or substantially the same (Kent discloses printing selected items from the content database, and assemble the printed pages (i.e. "the content is the same as its original form"), [0008]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Tso in view of Kent to provide a plurality of rule objects to apply rules to said content object to prepare the content in a first way both for communication over an Internet channel to an Internet terminal and for publication by the Internet terminal connected to the Internet channel and prepare the content in a second way both for communication over a non-Internet channel to a non-internet terminal and for publication by the non-Internet terminal connected to the non-Internet channel, wherein the content is prepared in the first way and the second way such that the original content remains the same or substantially the same, but s formatted into at least a second format for publication over different said terminals. One would be motivated to do so to allow production of customized magazine (page 3, [0036]).

As to claims 2 and 40, Tso teaches the system according to claims 1 and 38.

Tso fails to teach explicitly the non-Internet channels include at least one of a video channel or a print channel.

However, Kent teaches explicitly the non-Internet channels include at least one of a video channel and a print channel (figure 1, item 17 (i.e. video channel), item 30 (i.e. print channel), and item 15 (i.e. video display terminal)).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Tso in view of Kent to provide the non-Internet channels include at least one of a video channel or a print channel. One would be motivated to do so to allow outputting video.

As to claim 4, Tso teaches the system according to claim 1, wherein said content object includes at least one of the following: text, graphics, image, video or sound (column 4, lines 51-54).

As to claim 5, Tso teaches the system according to claim 1, wherein each rule object includes at least one rule distinct from other rule objects (column 6, lines 64-67).

As to claim 6, Tso teaches the system according to claim 5, wherein the at least one distinct rule is based on a specific channel for which the associated rule object is associated (column 7, lines 4-7).

As to claim 7, Tso teaches the system according to claim 5, wherein the at least one distinct rule is based on a specific terminal for which the associated rule object is associated (column 7, lines 7-12)

As to claim 8, Tso teaches the system according to claim 5, further comprising a channel object operable to receive said content object as prepared by said container object (figure 1).

As to claim 9, Tso teaches the system according to claim 8, wherein said channel object defines a channel of distribution over the network (figure 3).

As to claim 10, Tso teaches the system according to claim 8, wherein said channel object includes at least one of the following channels: Internet, wireless, cellular, or satellite (figure 1, item 18).

As to claim 11, Tso teaches the system according to claim 8, wherein the at least one rule defines a process for which said content object is subject to for distribution

over a particular channel (column 8, lines 4-9; column 12, line 67 to column 13, line 11).

As to claim 12, Tso teaches the system according to claim 11, wherein the process includes reducing the amount of data to be distributed (column 8, lines 22-26).

As to claim 13, Tso teaches the system according to claim 11, wherein the particular channel is predetermined by said content publisher (column 3, lines 14-17).

As to claim 14, Tso teaches the system according to claim 8, further comprising a directory lookup service for assigning said content object to at least one rule and at least one container object (column 10, lines 16-27).

As to claim 15, Tso teaches the system according to claim 9, further comprising an object broker (figure 3, item 34).

As to claim 16, Tso teaches the system according to claim 8, wherein the preparation by the at least one container object includes applying a template to said content object for display (column 7, line 60 to column 8, line 4).

As to claims 18, Tso teaches the method and system according to claim 17, further comprising templating the prepared content in accordance with a publishing environment specified by a content provider (column 7, line 60 to column 8, line 4).

As to claims 19 and 39, Tso teaches the method and the system according to claims 17 and 38.

Tso fails to teach explicitly the non-Internet channel is a newspaper print publication channel and the non-Internet terminal is a newspaper printer.

However, Kent teaches the non-Internet channel is a newspaper print publication channel and the non-Internet terminal is a newspaper printer (figure 1, item, item 30 (i.e. "print publication channel", and item 34 (i.e. "newspaper printer").

It would have been obvious to one of ordinary skill in the art to combine Tso in view of Kent to provide the non-Internet channel is a newspaper print publication channel and the non-Internet terminal is a newspaper printer. One would be motivated to do so to allow intranet network.

As to claim 22, Tso teaches the method according to claim 17, wherein the content includes more than one of the following: text, graphics, image, video, or audio (column 3, lines 51-54).

4. Response to Arguments

Applicant's arguments filed 03/03/08 have been fully considered but they are not persuasive.

(A) Applicants argue that the final published content is not the same or substantially the same as the original content, as is recited in amended independent claims 1 and 17.

In regards to point (A), examiner respectfully disagrees.

In [0008], Kent discloses printing selected items from the content database, and assembles the printed pages. The same printed item is the printed pages (i.e. "the content is the same as its original form").

(B) Applicants argue that Kent does not teach or suggest reformatting Content for communication of the same or substantially the same content.

In regards to point (B), examiner respectfully disagrees.

Such limitation is not in the claims.

(C) Applicants argue that Neither reference teaches or suggests that "content is prepared in the first way and the second way such that the original content remains the same or substantially the same, but is formatted into at least a second format for publication over different said terminals."

In regards to point (C), examiner respectfully disagrees.

In column 4-12, Tso teaches formatting content for distribution to users.

In paragraph [0008]), Kent discloses printing selected items from the content database, and assembles the printed pages (i.e. "the content is the same as its original form").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Tso in view of Kent to provide the content is prepared in the first way and the second way such that the original content remains the same or substantially the same, but is formatted into at least a second format for publication over different said terminals. One would be motivated to do so to allow production of customized magazine (page 3, [0036]).

(D) As to claim 38, Applicants argue that Kent actually teaches away from providing distribution channels arranged in parallel to one another because Kent discloses creating customized data such as magazines with customized advertisements that are sent to a printer to be printed and distributed to a single customer.

In regards to point (B), examiner respectfully disagrees.

In column 4-12, Tso teaches formatting content for distribution to users. Such distribution goes through different channels to reach the users (i.e. "distribution channels are arranged in parallel to one another").

5. Conclusion

Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit: 2157

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/El Hadji M Sall/

Examiner, Art Unit 2157

/Ario Etienne/

Supervisory Patent Examiner, Art Unit 2157